Provided that if the said John W Charlton shall pay on or before the 7th day of August 1873 to the said Daniel Buller the above named sum with interest annually from date hereof according to the tenor of his promissory note of even date with this Mortgage, then this mortgage shall be void and of none effect and the said John W Charlton covenants that he will pay the aforesaid money with interest thereon annually, Provided that until default of payment the said John W Charlton shall possess the premises and enjoy the profits thereof.

Test,
Wm H Lakin

John W Charlton (Seal)

Which is thus Endorsed Viz:

State of Maryland Frederick County to wit:
I hereby certify that on this 7th day of August in the year 1872 before the subscriber a Justice of the Peace of the said State in and for the County aforesaid personally appeared John W Charlton and acknowledged the foregoing Mortgage to be his act, and at the same time before me also appeared Daniel Buller and made oath in due form of Law that the consideration in the said Mortgage is true and bona fide as therein set forth

Wm H Lakin J.P.

State of Maryland Frederick County Ss:
I hereby certify that the foregoing is a true copy of the original mortgage recorded in Liber C.M No. 9 folio 50 &c One of the Land Records of Frederick County.

Place of Seal

In testimony whereof I hereunto set my hand and affix the seal of the Circuit Court for Frederick County this 7th day of April A.D. 1877

Filed April 18 1877.

Thomas Gorsuch Clerk.

"Exhibit 5"

Maryland Ss:
The State of Maryland, To all persons to whom these presents shall come, Greeting: Know ye, that the last Will and Testament of John W Charlton of Frederick County deceased hath in due form of Law been exhibited, proved and recorded in the Office of the Register of Wills for Frederick County a copy of which is to these presents annexed, and administration of all the goods, chattels and credits of the deceased, is hereby granted and committed unto David E Charlton the Executor by the said Will appointed.

Place of Seal

Witness H G. Maynard Esquire Chief Justice of the Orphans Court for Frederick County this 1st day of March in the year of our Lord Eighteen hundred and Seventy three

Test,
S. G. Cockey
Register of Wills for Frederick County

Filed April 18 1877.